

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CARLOS A. MACIAS,

4 Plaintiff,

5 v.

6 KARI A. DOOLEY, *et al.*,

7 Defendant.

Case No.: 2:24-cv-00483-GMN-BNW

8
9 ORDER

10 On March 11, 2024, pro se plaintiff Carlos A. Macias submitted a complaint under
11 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF No. 1-1). Plaintiff's
12 application to proceed *in forma pauperis* is incomplete because Plaintiff did not include a
13 completed financial certificate and an inmate trust fund account statement for the previous
14 six-month period with the application. The Court will deny Plaintiff's application without
15 prejudice and give Plaintiff the opportunity to correct these deficiencies **by Monday, May**
16 20, 2024.

17 I. **DISCUSSION**

18 The United States District Court for the District of Nevada must collect filing fees
19 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee
20 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
21 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the
22 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev.
23 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
24 must submit **all three** of the following documents to the Court: (1) a completed
25 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the
26 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a
27 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is
28 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
inmate's prison or jail trust fund account statement for the previous six-month

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
2 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
3 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

4 As explained above, Plaintiff's application to proceed *in forma pauperis* is
5 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*
6 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing
7 fee or file a new fully complete application to proceed *in forma pauperis* with all three
8 required documents.

9 **II. CONCLUSION**

10 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)
11 is denied without prejudice.

12 It is further ordered that Plaintiff has **until May 20, 2024**, to either pay the full \$405
13 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
14 required documents: (1) a completed application with the inmate's two signatures on page
15 3, (2) a completed financial certificate that is signed both by the inmate and the prison or
16 jail official, and (3) a copy of the inmate's trust fund account statement for the previous
17 six-month period.

18 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
19 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
20 to refile the case with the Court, under a new case number, when Plaintiff can file a
21 complete application to proceed *in forma pauperis* or pay the required filing fee.

22 The Clerk of the Court is directed to send Plaintiff the approved form application to
23 proceed *in forma pauperis* for an inmate and instructions for the same and retain the
24 complaint (ECF No. 1-1) but not file it at this time.

25 DATED this 20th day of March 2024.
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28 
UNITED STATES MAGISTRATE JUDGE